

TOWN OF SPRINGFIELD

748 Main Street
Springfield, CO 81073
Lindsay Walker, Mayor
Rebecca P. Clark, Town Manager



PHONE (719) 523-4528
FAX
WEBSITE springfieldco.gov

MEMORANDUM

TO: Chief Dennis Bradburn

FROM: Mayor Pro-Tem Ervin Maltbie on behalf of the Town Board for the Town of Springfield

DATE: March 21, 2018

RE: Investigation results, return from Administrative Leave and expectations

On behalf of the Town Board for the Town of Springfield I am providing you with the following memo, as was directed by the Board, in the special meeting held on March 15, 2018. This memo serves to provide you with information regarding the recent investigations, to discuss your return to work and to advise you of the Town Board's expectations going forward.

As to the recent investigations, as you know, after receiving three citizen complaints regarding you and your complaint regarding a trustee, the Town retained an independent third party, Investigations Law Group, to conduct investigations into those matters. Those investigations have now been completed.

As to your complaint regarding a trustee, the independent investigator did not substantiate your contention that the trustee actively solicited complaints against you. It was determined, however, that one complainant did turn a verbal complaint into a written complaint after discussing the matter with the trustee. Such action though is not improper. While there were no violations of Town policy or the law found, the trustee has nonetheless been advised of professional expectations and the Town is going to look into having further municipal training for elected officials after the upcoming election. As such, your complaints regarding the trustee are considered by the Board to have been fully and completely addressed.

As for the complaints made by three citizens about your conduct, the independent investigator determined that you did not exercise appropriate courtesy, tact and restraint at all times. It was also determined that you likely made statements in the meetings with the complainants that were not appropriate under departmental policy and that you breached appropriate confidentiality about the situation. As such, the investigation showed that your conduct was not in accord with the Town Board's expectations of the police chief and not entirely professional or appropriate.

Unfortunately, these recent complaints are not the first time during your tenure as Chief of Police that there have been complaints from citizens regarding your conduct nor is this investigation the first time that it was found you did not handle a given matter in a particularly professional manner. I believe in the past you were advised of prior complaints, related investigative findings and expectations

that such unprofessional behaviors cease. Moreover, the Town Board has firsthand witnessed you engage in conduct which is not professional.

While the Town Board has concerns based upon this investigation and past investigations, as well as conduct witnessed firsthand involving you, the Town Board has decided to give you one more opportunity to be a professional and successful Chief of Police for this department. In that regard, the Town is ending your administrative leave and expecting you to return to work on Monday, March 26, 2018. However, please understand that the behavior discussed in the recent investigation is not appropriate, regardless of whether it violates a specific policy, and it is not in accord with how the Town Board intends to have the Police Department to operate. As such, upon your return to work, the Town Board would like to make certain it is clear to you their expectations going forward. As such, I have been directed to relay the following to you:

1. Your aggressive and confrontational demeanor must cease. You are expected to be professional and courteous at all times, including in all communications and interactions with citizens, with other entities, with other Town staff, and with the Town Board. Given that the Police Department Policies and Procedures that you adopted discuss such requirements for the Police Department, we assume you recognize the importance of such conduct.

2. You need to remember that you report to the Town Board of Trustees and serve under its direction. You are not in island unto yourself. As such, you must follow the direction provided by the Town Board or any individual it designates to give you direction.

3. You are to promptly respond to all requests made by Town staff or the Town Board for items which fall within your job duties or involve the Police Department. As an example, your past failure to provide copies of the police department policies when requested was not appropriate and similar conduct in the future will not be tolerated.

4. You are to fully investigate any complaint you receive regarding police department staff, other than complaints about yourself, which must be promptly provided to the Town Board. Concerns were raised to the Town by a citizen regarding a lack of unwillingness to submit a complaint involving a police officer based upon that individual's belief you would simply ignore the complaint. If the Town Board learns that you have received complaints about potential misconduct by your subordinates and you have failed to have such complaints fully and properly investigated and addressed, you will be held responsible.

5. You need to actively work to improve relationships with the citizens and other Town staff, as well as to work to improve the reputation of the Police Department.

6. It is my understanding that several years ago, after an investigation, you were to use your Town-issued body camera as to all contacts with citizens and suspects and to prepare and submit to the Town Board and the Town Attorney a proposed departmental policy regarding the use of body cameras. According to the Springfield Police Department Policies and Procedures that you apparently adopted in August, 2015, I do not see that you adopted such a policy or that you have been using the camera as to all contacts. As such, you have 30 days from today in which to draft, circulate and after approval from the Town Attorney adopt such a policy and commence using your body camera as to all contacts.

7. You are to work with the Interim Chief on transition of duties associated with all matters that occurred while you were gone and to insure completion of those matters, such as any discipline imposed by the Interim Chief.

8. The Town Board is looking into retaining a retired member of law enforcement to conduct best practices review of matters involving the Police Department. To the extent that the Town Board does in fact retain such an individual, you are expected to fully cooperate with any requests by that individual and to work with the Town Board on adoption of any recommendations that may be made by that individual.

9. You are also required to insure full compliance by yourself and all employees of the Police Department as to all Town and Police Department policies going forward.

With your return to work it is imperative that you understand that the Town does not permit retaliation of individuals who in good faith made complaints or participated in an investigation. In that regard, it is imperative that your actions with respect to individuals who complained about you or who participated or assisted with the investigation, including other Town staff, be above reproach. To the extent you were to engage in any conduct which was retaliatory or was determined to have the appearance of being retaliatory, the Town Board will take disciplinary action regarding you. Similarly, to the extent that you have any future concerns related to the trustee that you previously complained about, you are expected to report those concerns, in writing, immediately to the Town Board, so that the Board can determine whether further action is necessary.

The Town Board expects that you take what has transpired seriously and you fully and successfully follow the above expectations upon your return to work. Failure to do so will have consequences, including the potential for discipline to be imposed or you not to be re-appointed.

Upon your return to work on March 26, 2018, the Mayor and I will plan to be at the Police Department at 8:30 am to meet with you and obtain a signed copy of this memo from you. By signing this memo, you are simply acknowledging receipt of the document. Whether you agree with all of the content of this document, you must confirm receipt. Further, you will be expected to comply with the expectations set forth above. Failure to sign for receipt or comply could be considered insubordination and lead to disciplinary action.

Receipt Acknowledged by:

Dennis Bradburn

Date

TOWN OF SPRINGFIELD

748 Main Street
Springfield, CO 81073
Lindsay Walker, Mayor
Rebecca P. Clark, Town Manager



PHONE 719.523.4528
FAX 719.523.6956
WEBSITE springfieldco.gov

April 25, 2018

Mr. Dennis R. Bradburn
225 West 4th Avenue
Springfield, CO 81073

Mr. Bradburn,

As you know you were not reappointed for the Police Chief position for the Town of Springfield, Colorado at the Board of Trustees Thursday, April 19, 2018 meeting. For this reason, your employment has ceased and this is notice to that effect. Contained herein, is your last complete paycheck for your employment with the Town of Springfield.

Lack of your reappointment and cessation of a job with the Town of Springfield, requires you to return any Town possessions, inclusive of equipment, weapons, clothing, keys, badge, vehicle, and phone that you have are to be turned over/given to Interim Police Chief Shiplett.

For the Town of Springfield,

Rebecca P. Clark
Town Manager/Clerk

Cc: Mayor Lindsay Walker
Springfield Board of Trustees
Marni Nathan Kloster, Town Special Legal Counsel

Enclosure

SPECIAL SESSION

JANUARY 8, 2018

Present: Trustees Leslie Krinard, Shannon Mason, Robin Ballard, Ervin Maltbie, Marcia Elstob

Absent: Mayor Walker, Trustee Mike Cooper

Staff present: Rebecca Clark, Town Manager/Town Clerk
Merna McGinnis, Deputy Town Clerk

Item 1: Meeting called to order at 6:05 p.m.

Item 2: Roll call

Trustee Elstob, Trustee Mason, Trustee Ballard, Trustee Krinard, Mayor Pro-tem Maltbie

Item 3: Executive Session of the Springfield Board of Trustees

Mayor Pro-tem Maltbie:

Request a motion to convene an Executive Session of the Board of Trustees pursuant to CRS Section 24-6-402(4)(b) for a conference with the Town Attorney and special counsel to the Town – Marni Kloster, Esq., to the Board of Trustees for the purpose of receiving legal advice on specific legal questions.

Trustee Ballard:

I move to go into Executive Session for a conference with the Town Attorney and special counsel to the Town – Marni Kloster, Esq., to the Board of Trustees pursuant to CRS Section 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions. I further move to reconvene the special meeting after the conclusion of the executive session, for the purpose of taking any actions deemed necessary. Trustee Mason seconded the motion.

Mayor Pro-tem Maltbie:

It's January 8, 2018 and the time is 6:11 P.M. For the record, I am the presiding officer, Mayor Pro-tem Ervin Maltbie. As required by the Open Meetings Law, this Executive Session is being electronically recorded.

Mayor Pro-tem Maltbie:

Also present at this Executive Session are the following persons:

Trustee Robin Ballard

Trustee Leslie Krinard

Trustee Shannon Mason

Trustee Marcia Elstob

Absent: Mayor Walker and Trustee Mike Cooper

Also present are:

By phone, Special Counsel, Marni Kloster

Town Manager/Clerk, Rebecca Clark

Town Attorney, Debra Gunkel

Deputy Town Clerk, Merna McGinnis

Mayor Pro-tem Maltbie

Special Counsel to the Town – Marni Kloster, Esq., has recommended that no record be kept of this part of the discussion in this Executive Session, which constitutes a privileged attorney-client communication. The time is now 6:12 P.M. and I am requesting the tape recorder be turned off at this time.

Mayor Pro-tem Maltbie: Merna, please turn off the tape recorder and you can excuse yourself for this portion of the executive session.

Mayor Pro-tem Maltbie:

This is an Executive Session for the following purposes:

To convene an Executive Session of the Board of Trustees pursuant to CRS Section 24-6-402(4)(b) for a conference with the Town Attorney and Special counsel to the Town - Marni Kloster, Esq., to the Board of Trustees for the purpose of receiving legal advice on specific legal questions.

Mayor Pro-tem Maltbie:

I caution each participant to confine all discussion to the stated purpose of the Executive Session, and that no formal action may occur in the Executive Session.

If at any point in the Executive Session any participant believes that the discussion is going outside the proper scope of the Executive Session, please interrupt the discussion and make an objection.

Mayor Pro-tem Maltbie:

The time is now 6:28 P.M. and I request the tape recorder be turned back on because the privileged attorney-client communication has concluded.

Mayor Pro-tem Maltbie:

I hereby attest that this recording reflects the actual contents of the discussion at the Executive Session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law.

I will give the tape to the Special counsel to the Town - Marni Kloster, Esq. to retain for a 90-day period.

Mayor Pro-tem Maltbie:

The time is now 6:30 P.M. we now conclude the Executive Session and return to the open meeting.

I request a motion to go out of Executive Session.

Trustee Ballard:

I motion that the January 8, 2018 Executive Session be concluded. Motion seconded by Trustee Krinard.

Mayor Pro-tem Maltbie:

The time is now 6:31 P.M., and the Executive Session has been concluded. The participants in the Executive Session were:

Trustee Robin Ballard

Trustee Leslie Krinard

Trustee Shannon Mason

Trustee Marcia Elstob

Absent: Mayor Lindsay Walker and Trustee Mike Cooper

By phone, Special Counsel, Marni Kloster

Town Manager/Clerk Rebecca Clark

Town Attorney, Debra Gunkel

Deputy Town Clerk, Merna McGinnis

Mayor Pro-tem Maltbie:

For the record, if any person who participated in the Executive Session believes that any substantial discussion of any matters not included in the motion to go into the Executive Session occurred during the Executive Session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Mayor Pro-tem Maltbie:

Seeing none, the next agenda item is Item 4: Return to Special Meeting.

Item 4: Return to Special Meeting

Trustee Ballard made a motion and seconded by Trustee Krinard to go into Executive Session.

Vote: Yes – Krinard, Mason, Ballard, Maltbie, Elstob

Item 5: Executive Session of the Springfield Board of Trustees

Mayor Pro-tem Maltbie:

Request a motion to convene an Executive Session of the Board of Trustees pursuant to CRS Section 24-6-402(4)(f) for a conference with the Town Attorney and special counsel to the Town - Marni Kloster, Esq., to the Board of Trustees for the purpose of personnel matters about an employee who was properly given notice in advance of this meeting but who did not request a discussion of the matter to be held in an open meeting; and member of the Board of Trustees; the appointment of any person to fill an office on the Board of Trustees; or personnel policies that do not require the discussion of matters personal to particular employees.

Trustee Ballard:

I move to go into Executive Session for a conference with the Town Attorney and Special Counsel to the Town - Marni Kloster, Esq. to the Board of Trustees pursuant to CRS Section 24-6-402(4)(f) for the purpose of discussing personnel matters. I further move to reconvene the special meeting after the conclusion of the executive session, for the purpose of taking any actions deemed necessary.

Trustee Mason seconded the motion.

Mayor Pro-tem Maltbie:

It's January 8, 2018 and the time is 6:40 P.M. For the record, I am the presiding officer, Mayor Pro-tem Ervin Maltbie. As required by the Open Meetings Law, this Executive Session is being electronically recorded.

Mayor Pro-tem Maltbie:

Also present at this Executive Session are the following persons:

Trustee Robin Ballard

Trustee Leslie Krinard

Trustee Shannon Mason

Trustee Marcia Elstob

Absent: Mayor Lindsay Walker and Trustee Mike Cooper

Also present are:

By phone, Special Counsel, Marni Kloster

Town Manager/Clerk Rebecca Clark

Town Attorney, Debra Gunkel

Deputy Town Clerk, Merna McGinnis

Mayor Pro-tem Maltbie:

This is an Executive Session for the following purposes:

To convene an Executive Session of the Board of Trustees pursuant to CRS Section 24-6-402(4)(f) for a conference with the Town Attorney and Special Counsel to the Town - Marni Kloster, Esq., to the Board of Trustees for the purpose of personnel matters about an employee who was properly given notice in advance of this meeting but who did not request a discussion of the matter to be held in an open meeting; and member of the Board of Trustees; the appointment of any person to fill an office on the Board of Trustees; or personnel policies that do not require the discussion of matters personal to particular employees.

I caution each participant to confine all discussion to the stated purpose of the Executive Session, and that no formal action may occur in the Executive Session.

If at any point in the Executive Session any participant believes that the discussion is going outside the proper scope of the Executive Session, please interrupt the discussion and make an objection.

Mayor Pro-tem Maltbie:

I hereby attest that this recording reflects the actual contents of the discussion at the Executive Session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law.

I will give the tape to Special Counsel to the Town - Marni Kloster, Esq., to be retained for a 90-day period.

Mayor Pro-tem Maltbie:

The time is now 6:53 P.M. we now conclude the Executive Session and return to the open meeting.

I request a motion to go out of Executive Session.

Trustee Ballard made a motion to go out of Executive Session and seconded by Trustee Krinard.

Mayor Pro-tem Maltbie:

The time is now 6:55 P.M. and the Executive Session has been concluded. The participants in the Executive Session were:

Trustee Robin Ballard

Trustee Leslie Krinard

Trustee Shannon Mason

Trustee Marcia Elstob

Absent: Mayor Lindsay Walker and Trustee Mike Cooper

By phone, Special Counsel, Marni Kloster

Town Manager/Clerk Rebecca Clark

Town Attorney, Debra Gunkel

Deputy Town Clerk, Merna McGinnis

Mayor Pro-tem Maltbie:

For the record, if any person who participated in the Executive Session believes that any substantial discussion of any matters not included in the motion to go into the Executive Session occurred during the Executive Session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Mayor Pro-tem Maltbie:

Seeing none, the next agenda item is Item 6: Return to Special Meeting

Item 6: Return to Special Meeting

Return to Special Meeting 6:55 p.m.

Trustee Ballard made a motion and seconded by Trustee Krinard to place Chief Bradburn on paid administrative leave. Vote: Yes – Krinard, Mason, Ballard, Maltbie, Elstob

Trustee Mason made a motion and seconded by Trustee Krinard to place Sergeant Aaron Shiplett as Acting Police Chief during the investigation. Vote: Yes – Krinard, Mason, Ballard, Maltbie, Elstob

Ms. Clark stated she would place a call to Dennis Bradburn, with the presence of Town Attorney Debra Gunkel and explain he has been placed on administrative leave. Immediately thereafter, Ms. Clark will call the Mayor to inform her of the actions. Ms. Clark stated she would ask Mr. Bradburn to come in on Tuesday morning and visit with her so that he can sign the memo, a confirmation of administrative leave. Mr. Bradburn will have to turn over all city items, such as keys, badge, vehicle, phone and to receive further instructions. Ms. Clark asked if she needs to contact Sergeant Shiplett about his acting position or would she need to wait until Tuesday morning. Ms. Kloster stated that Ms. Clark could either contact Sergeant Shiplett tonight or on Tuesday morning.

Trustee Ballard asked about town property being taken to Mr. Bradburn's personal property. Ms. Kloster stated we would need to know what property was taken to Mr. Bradburn's. Ms. Clark stated this is where she will have to work cooperatively with Sergeant Shiplett. Ms. Clark stated she will turn this over to Sergeant Shiplett to handle anything police related. Ms. Clark stated that if Mr. Bradburn has any concerns or anything he is experiencing by any Board member, any employee, any citizen then Mr. Bradburn is to discuss this with Ms. Clark only. The Board will not have conversation with Mr. Bradburn, he and the Board are to converse through Ms. Clark.

Trustee Ballard made a motion and seconded by Trustee Elstob to adjourn the meeting at 7:05 P.M.

Mayor Pro-Tem Ervin Maltbie

Merna McGinnis, Deputy Town Clerk

REGULAR SESSION

JANUARY 11, 2018

Present: Mayor Lindsay Walker

Trustees: Leslie Krinard, Robin Ballard, Ervin Maltbie, Marcia Elstob

Absent: Trustee Mike Cooper, Shannon Mason, Town Attorney Debra Gunkel

Guests: Kathy Self, Donna Davis, Forest Service, Brian Burhenn, Howard Wilson, Stephanie Gonzales, SECED

Staff present: Rebecca Clark, Town Manager/Clerk
Merna McGinnis, Deputy Town Clerk
Aaron Shiplett, Acting Police Chief
Riley Cooper, Police Officer

Item 1: Meeting called to order at 6:10 p.m.

Item 2: Pledge of Allegiance

Economic Development: Ms. Clark stated we have not heard from Cobblestone Hotel. Ms. Clark stated Pete Zavala with Lucy's Tacos is wanting to relocate to Springfield. We advertised in the South Baca boys state basketball program.

Ms. Clark stated that each landfill consultant will be working with us directly instead of Apex doing a combined billing for the three consultants. Apex was charging 15% to review the bills. Ms. Clark stated the USDA loan is ready to be filed as soon as it is signed.

Ms. Clark stated the Municipal Code needs to be reviewed by the Board of Trustees and the town's legal counsel. Ms. Clark stated that Mr. Ted Locke is working on mapping for the town. Trustee Ballard stated that SIPA has GIS capabilities.

Treasurer

Financial reports were provided to the Trustees. The Budget Category Report for December 2017 was provided to the Trustees.

Acting Chief of Police

Written police report was provided to the Trustees. Trustee Elstob asked if anything is happening on the Hill Street property. Acting Chief of Police Shiplett stated there was some internal things happening at this time that need to get cleared up and the Hill Street property is not on his radar at this time.

Item 13: Mayor and Trustee Reports

Mayor Walker reported that Acting Police Chief Aaron Shiplett and herself were invited to speak to the Boys and Girls Club at the Springfield Assembly of God Church.

Trustee Mason stated she was also invited and spoke to the Girls Club on Wednesday. Trustee Mason asked about where we are on the suspension/administrative leave. Ms. Clark stated it is wrapping up and the report is supposed to be wrapped up and the Board will have to go into Executive Session.

Trustee Elstob stated Fae Suhler asked about the town doing more mosquito spraying than what has been done in the past.

Item 14: Adjournment

Trustee Ballard made a motion and seconded by Trustee Mason to adjourn the meeting at 7:42 p.m. Motion carried unanimously.

Lindsay Walker, Mayor

Merna McGinnis, Deputy Town Clerk

SPECIAL SESSION

MARCH 15, 2018

Present: Mayor Lindsay Walker

Trustees: Leslie Krinard, Ervin Maltbie, Mike Cooper, Robin Ballard, Marcia Elstob,

Absent: Trustee Shannon Mason

Staff present: Rebecca Clark, Town Manager/Clerk

Staff absent: Debra Gunkel, Town Attorney

Guests: Bradly Johnson

Ana Borunda

Freddy Borunda

Item 1: Call to order at 6:21 p.m.

Item 2: Roll Call

Present: Trustee Ballard, Trustee Cooper, Trustee Krinard, Trustee Elstob, Trustee Maltbie, Mayor Walker
Absent: Trustee Mason

Item 3: Executive Session of the Springfield Board of Trustees

Pursuant to C.R.S. Section 24-6-402(4)(b) the Springfield Town Board of Trustees will be in Executive Session for the purpose of a conference with the Town Attorney and Special Counsel to the Town – Marni Kloster, Esq., to receive legal advice on specific legal questions.

Mayor Walker:

Request a motion to convene an Executive Session of the Board of Trustees pursuant to CRS Section 24-6-402(4)(b) for a conference with the Town Attorney and Special Counsel to the Town – Marni Kloster, Esq., to the Board of Trustees for the purpose of receiving legal advice on specific legal questions.

Mayor Pro-Tem Maltbie:

I move to go into Executive Session for a conference with the Town Attorney and Special Counsel to the Town – Marni Kloster, Esq., to the Board of Trustees pursuant to CRS Section 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions. I further move to reconvene the Special Meeting after the conclusion of the Executive Session, for the purpose of taking any actions deemed necessary.

Mayor Walker: The motion will need a second and vote.

Trustee Cooper seconded Mayor Pro-Tem Maltbie's motion to go into Executive Session-Legal Advice. Vote Yes to go into Executive Session: Trustees Ballard, Cooper, Krinard, Elstob, Maltbie and Mayor Walker (unanimous vote).

Executive Session Proceedings:

Mayor Walker:

It's March 15, 2018 and the time is 6:25 P.M. For the record, I am the presiding officer, Mayor Lindsay Walker. As required by the Open Meetings Law, this portion of the Executive Session-Legal Advice is being electronically recorded.

Mayor Walker:

Also present at this Executive Session are the following persons:

Mayor Pro-Tem Ervin Maltbie
Trustee Robin Ballard
Trustee Mike Cooper
Trustee Leslie Kinard
Trustee Marcia Elstob

Also present are:

By Audio and Visual Conference, Special Counsel, Marni Kloster
Town Manager/Clerk, Rebecca Clark

Mayor Walker:

Special Counsel to the Town – Marni Kloster, Esq., has recommended that no record be kept of this part of the discussion in this Executive Session, which constitutes a privileged attorney-client communication. The time is now 6:27 P.M. and I am requesting the tape recorder be turned off at this time.

Mayor Walker:

The time is now 8:00 P.M. we now conclude the Executive Session-Legal Advice and return to the open meeting.

I request a motion to go out of Executive Session.

Mayor Pro-Tem Maltbie:

I motion that the March 15, 2018 Executive Session-Legal Advice be concluded.

The motion will need a second and vote.

Trustee Cooper seconded Mayor Pro-Tem Maltbie's motion to conclude the Executive Session-Legal Advice. Vote Yes to conclude the Executive Session: Trustees Ballard, Cooper, Krinard, Elstob, Maltbie and Mayor Walker (unanimous vote).

Mayor Walker:

The time is now 8:00 P.M., and the Executive Session has been concluded. The participants in the Executive Session were:

Mayor Lindsay Walker
Mayor Pro-Tem Ervin Maltbie
Trustee Robin Ballard

Trustee Mike Cooper
Trustee Leslie Krinard
Trustee Marcia Elstob

By Audio and Visual Conference, Special Counsel, Marni Kloster
Town Manager/Clerk, Rebecca Clark

Mayor Walker:

For the record, if any person who participated in the Executive Session-Legal Advice believes that any substantial discussion of any matters not included in the motion to go into the Executive Session occurred during the Executive Session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Mayor Walker:

Seeing none, the next agenda item, is Item 4: Return to Special Meeting

Item 4: Return to Special Meeting

Item 5: Executive Session of the Springfield Board of Trustees

Pursuant to C.R.S. Section 24-6-402(4)(f) for the discussion of personnel matters except if the employee who is the subject of the session has requested an open meeting.

Mayor Walker:

Request a motion to convene an Executive Session of the Board of Trustees pursuant to CRS Section 24-6-402(4)(f) for a conference with the Town Attorney and Special Counsel to the Town – Marni Kloster, Esq., to the Board of Trustees for the purpose of personnel matters about an employee who was properly given notice in advance of this meet but who did not request a discussion of the matter be held in an open meeting.

Mayor Pro-Tem Maltbie:

I move to go into Executive Session for a conference with the Town Attorney and Special Counsel to the Town – Marni Kloster, Esq., to the Board of Trustees pursuant to CRS Section 24-6-402(4)(f) for the purpose of discussing personnel matters. I further move to reconvene the Special Meeting after the conclusion of the Executive Session, for the purpose of taking any actions deemed necessary.

The motion will need a second and vote.

Trustee Cooper seconded Mayor Pro-Tem Maltbie's motion to go into Executive Session-Personnel Matters. Vote Yes to go into Executive Session: Trustees Ballard, Cooper, Krinard, Elstob, Maltbie and Mayor Walker (unanimous vote).

Executive Session Proceedings:

Mayor Walker:

It's March 15, 2018 and the time is 8:12 P.M. For the record, I am the presiding officer, Mayor Lindsay Walker. As required by the Open Meetings Law, this portion of Executive Session-Personnel Matters is being electronically recorded.

Mayor Walker:

Also present at this Executive Session are the following persons:

Mayor Pro-Tem Ervin Maltbie
Trustee Robin Ballard
Trustee Mike Cooper
Trustee Leslie Kinard
Trustee Marcia Elstob

Also present are:

By Audio and Visual Conference, Special Counsel, Marni Kloster
Town Manager/Clerk, Rebecca Clark

Mayor Walker:

Special Counsel to the Town – Marni Kloster, Esq., has recommended that a recording be kept of this part of the discussion in this Executive Session, which constitutes a discussion of personnel matters. This recording will be kept for a 90-day period in the possession of legal counsel.

The time is now 8:21 P.M.

Mayor Walker:

This is an Executive Session for the following purposes:

To convene an Executive Session of the Board of Trustees pursuant to CRS Section 24-6-402(4)(f) for a conference with the Town Attorney and Special Counsel to the Town – Marni Kloster, Esq., to the Board of Trustees for the

purpose of personnel matters about an employee who was properly given notice in advance of this meet but who did not request a discussion of the matter be held in an open meeting.

I caution each participant to confine all discussion to the stated purpose of the Executive Session, and that no formal action may occur in the Executive Session.

If at any point in the Executive Session any participant believes that the discussion is going outside the proper scope of the Executive Session, please interrupt the discussion and make an objection.

Mayor Walker:

The time is now 9:25 P.M. and we now conclude the Executive Session-Personnel Matters and return to the open meeting.

Mayor Pro-Tem Maltbie:

I motion that the March 15, 2018 Executive Session-Personnel Matters be concluded.

The motion will need a second and vote.

Trustee Cooper seconded Mayor Pro-Tem Maltbie's motion to go out of Executive Session-Personnel Matters. Vote Yes to go out of Executive Session: Trustees Ballard, Cooper, Krinard, Elstob, Maltbie and Mayor Walker (unanimous vote).

Mayor Walker:

The time is now 9:25 P.M. and the Executive Session-Personnel Matters has been concluded. The participants in the Executive Session were:

Mayor Lindsay Walker

Mayor Pro-Tem Ervin Maltbie

Trustee Robin Ballard

Trustee Mike Cooper

Trustee Leslie Krinard

Trustee Marcia Elstob

By Audio and Visual Conference, Special Counsel, Marni Kloster
Town Manager/Clerk, Rebecca Clark

Mayor Walker:

For the record, if any person who participated in the Executive Session-Personnel Matters believes that any substantial discussion of any matters not included in the motion to go into the Executive Session occurred during the Executive Session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Mayor Walker:

Seeing none, the next agenda item is, Item 6: Return to Special Meeting

Item 6: Return to Special Meeting

1. Trustee Ballard motioned to direct Mayor Pro-Tem Ervin Maltbie to work with Special Legal Counsel on preparing a memo to Chief Bradburn regarding completion and results of the investigations; his potential return to work on Monday, March 26, 2018; and expectations of the Board of Trustees going forward to the extent feasible to be given to him next week.

The above motion was seconded by Mayor Walker.

Voice Roll Call Vote: Yes: Trustees Cooper, Ballard, Maltbie, Walker

Oppose: Trustee Krinard

Recuse: Trustee Elstob

2. Mayor Walker motioned to direct Mayor Pro-Tem Ervin Maltbie to work with Special Legal Counsel to provide letters to complainants regarding completion of the investigations.

The above motion was seconded by Trustee Copper.

Voice Roll Call Vote: Yes: Trustees Maltbie, Krinard, Ballard, Cooper, Walker

Recuse: Trustee Elstob

3. Trustee Krinard motioned to appoint Trustee Cooper and Trustee Ballard to looking into retaining a retired member of law enforcement auditor to conduct a review of aspects of the police department for best practices.

The above motion was seconded by Trustee Ballard.

Voice Roll Call Vote: Yes: Trustees Krinard, Maltbie, Cooper, Ballard, Walker

Recuse: Trustee Elstob

Item 7: Adjournment

Trustee Elstob made a motion and seconded by Trustee Krinard to adjourn the meeting at 9:32 p.m. Motion carried unanimously.

Lindsay Walker, Mayor

Rebecca P. Clark, Town Manager/Clerk

REGULAR SESSION

APRIL 12, 2018

Present: Mayor Lindsay Walker

Trustees: Shannon Mason, Robin Ballard, Ervin Maltbie, Marcia Elstob, Mike Cooper

Absent: Trustee Leslie Krinard

Guests: Ted Locke, Holli Locke, Coral Maltbie, Patsy Howard, Jim Howard, Jim Jordan, Sheila Adams, Dave Konkell, Helinda Konkell, Natalie Thornton, Lorene Reynal, Diane Visage

Staff present: Rebecca Clark, Town Manager/Town Clerk
Merna McGinnis, Deputy Town Clerk
Dennis Bradburn, Police Chief

Item 1: Call to order

Meeting called to order at 6:01 p.m.

Item 2: Pledge of Allegiance

Item 3: Roll Call

Ms. McGinnis gave the roll call:

Present: Trustee Mason, Trustee Cooper, Trustee Ballard, Trustee Maltbie, Trustee Elstob, Mayor Walker

Absent: Trustee Krinard

Item 4: Approve Minutes

Trustee Ballard made a motion and seconded by Trustee Cooper to approve the minutes of the Regular Meeting on March 8, 2018 and the Special Meeting on March 15, 2018. Motion carried unanimously.

Item 5: Approve Bills

Trustee Maltbie made a motion and seconded by Trustee Mason to approve the bills as listed. Motion carried unanimously.

Item 6: Status Report on Town Hall Renovations - Dept of Local Affairs Grant Project Manager/Architect, Ted Locke

Ted Locke reported on the update of the police department renovation. At this point the remaining items are the carpet for the conference room, the cleaning and the tie in for the telephone and data lines. They are working to get the items in the evidence room transferred to the new evidence room. Mr. Locke stated the next phase will be to renovate the board chambers.

Item 7: Public Comments for Non-Agenda Items

Natalie Thornton formally introduced herself to the Board. Natalie stated her family moved to Springfield in 2011. Ms. Thornton stated she is asking as a citizen for help from the Board that was elected. When there is no action

there is frustration. Ms. Thornton stated that in her family's case they followed all protocol, policies and procedures in filing the complaint against Officer Cody Phillips and trusted Officer Aaron Shiplett would follow policy and procedure when he admits that he did not. Ms. Thornton stated her question is "Why not?" Ms. Thornton stated she feels a police officer should be held to a higher standard when he commits a crime against the public. Ms. Thornton stated that in her family's case there is knowledge of Cody Phillips' action by the Springfield Police Department long before she filed the complaint. Not one officer came to her to discuss this before she filed the complaint or to investigate it. Ms. Thornton stated the crime against her daughter is not an isolated incident which there is proof of. Ms. Thornton believes the events involving her daughter served as a vessel in revealing far more sinister things that have occurred with Officer Cody Phillips.

In closing Ms. Thornton stated she has three suggestions for the present Board and the newly elected members; citizens notice things, where there are three or more Board members are gathered that is seen as a meeting or an agenda whether it be just Board members or police officers and Board members. Also correspondence from a citizen to a Board member should never be intercepted. Do not be defensive to citizens, be open minded and a good listener and take concerns seriously. You are the elected voices of all of the citizens and first and foremost as elected officials you all are mandatory reporters first, especially police officers. Ms. Thornton thanked the Board for their willingness to serve the Town of Springfield in the capacity of Board members.

Dave Konkel was present to discuss the trailer houses and trash blowing. Mr. Konkel stated he's heard stories that the trailer houses are going to be moved but they are still there. The trash is blowing in the neighbor's yards and they are tired of picking it up. Mr. Konkel stated they felt the trailer houses weren't supposed to be there to begin with. They were put there illegally. Mr. Konkel feels that nothing is getting done and they are looking at the Board to get something done. Mr. Konkel addressed some other properties that are having issues with trash. Mr. Konkel stated they would appreciate the Board getting something done to enforce the municipal codes.

Jim Jordan was present to discuss the problems with neighbor's trash. Mr. Jordan stated he has a big respect for the way the town is setup. It has codes and guidelines in place but Mr. Jordan picks up trash that blows from the town's side of the road over to his side of the road. The neighbors across the road put their trash in open trailers and stack it high. Mr. Jordan stated he has totes trash off for them, fixed things for them and they have a lack of respect. Mr. Jordan stated these things exist because the town doesn't have enforcement. Mr. Jordan stated he had met with Chief Bradburn at one of the properties and Chief Bradburn stated that he didn't know who the code enforcement person was. Mr. Jordan stated he then came to the town and found out that the code enforcement person is Margaret Dunham but Ms. Dunham doesn't start work until May 1st. Mr. Jordan stated he didn't know the town had codes that had a gap. Mr. Jordan stated he is looking forward to some interaction by the Board to step up and do the stuff we have on laws, he's not asking for any new laws, just enforce the existing laws.

Lorene Reynal was present to discuss the trash problems in her neighborhood. Ms. Reynal stated there are mattresses blowing around into the street and clothes blowing into her yard. Ms. Reynal stated that David Watkins' daughter is living in a camper in the backyard.

Item 8: General Business

A. Upcoming 2018 Calendar

1. Institute for Excellence in Government (IEG) offers an immersive, two-day, interactive and engaging workshop designed to fully prepare elected officials for the role of being effective, aware, and intentional members of your governing body.

Various opportunities in April and May 2018. For more information talk to Trustee Ballard, a recent attendee.

2. CML Webinar: 2018 Legislative Update - Wednesday, April 18, noon - 1 p.m.

3. CML Meet the Staff and Board Members - May 14th, 3-4 p.m. - Trinidad

4. Springfield Clean Up Days - Monday May 14th & Tuesday May 15th. We will accept yard debris, but no hazardous waste materials, refrigerators, no electronics. All items are to be placed in the alley. Everyone must call town hall to get put on the list.

5. April 19, 2018 Special Meeting of the Board of Trustees

6. 96th ACML Annual Conference - June 19-22, Vail

Item 9: Administrative Reports

Town Manager

Ms. Clark stated the Manager's Report was provided to the Board through email.

Treasurer

Ms. McGinnis reported we received the Cooper Clark Foundation grant of \$5,000 for free swim lessons.

Chief of Police

Chief Bradburn stated it has been a busy week. Chief Bradburn stated he has been working to put together a police advisory board. There are four members seated on the board and will have a full police report to the Board on April 19th.

Town Attorney

Attorney Gunkel stated she had nothing to report. Trustee Cooper asked Attorney Gunkel how are we coming with the basis to remove the trailer houses. Attorney Gunkel stated that one owner had appealed the BOA's decision. Trustee Cooper stated he was asking about the two that weren't appealed. Ms. Gunkel stated we are going to work this through the Planning Commission. Trustee Cooper asked about the physical removal of the trailers. Ms. Gunkel stated she thinks we can go in and try to get a court order to have them removed.

Trustee Elstob asked about where we are standing on the Robins complaint on the code enforcement of trash and junk vehicles. Aaron was to get in touch with the attorneys. Trustee Elstob stated that Aaron said at the last meeting he hadn't done anything. Chief Bradburn stated that he hadn't touched basis with Aaron on this issue as they had been busy with other things.

Item 10: Mayor and Trustee Reports

Item 11: Adjournment

Trustee Elstob made a motion and seconded by Trustee Maltbie to adjourn the meeting at 6:28 p.m.
Motion carried unanimously.

Lindsay Walker, Mayor

Merna McGinnis, Deputy Town Clerk

SPECIAL MEETING

APRIL 19, 2018

Present: Mayor Walker
Trustees: Shannon Mason, Robin Ballard, Ervin Maltbie, and Marcia Elstob

Absent: Trustees Mike Cooper and Leslie Krinard

Guests: Ted Locke, Holli Locke, Jim Howard, Patsy Howard, Gary Fuselier, Darwin Hansen, Rick Rigel, Kelby Sikes, Coral Maltbie, Natalie Thornton, Bernie Guder, and Sherrilyn Turner

Staff present: Rebecca Clark, Town Manager/Town Clerk
Merna McGinnis, Deputy Town Clerk/Treasurer
Mike Ingle, Water/Wastewater Superintendent
Vic McGinnis, Public Works Superintendent
Roman Horn, Electric Superintendent
Dennis Bradburn, Police Chief
Debra Gunkel, Town Attorney
Aaron Shiplett, Police Sergeant
Riley Cooper, Patrol Officer
Christy Brady, Office Support/Municipal Court Clerk

Item 1: Call to order

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Item 2: Pledge of Allegiance

Item 3: Roll Call